IN THE CIRCUIT COURT OF THE FIRST CIRCUIT
STATE OF HAWAII

CRAIG SMALLWOOD,	) Civil No. 04-1-2315 (SSM)
Plaintiff(s),	) ORDER GRANTING IN PART PLAINTIFF CRAIG SMALLWOOD'S MOTION TO AMEND NOTICE OF APPEAL AND SUPPLEMENT THE RECORD WITH THE FINAL JUDGMENT AND ORDERING THE CLERK OF COURT TO RETRANSMIT THE SUPPLEMENTED RECORD ON APPEAL APPEAL TO THE INTERMEDIATE COURT OF APPEALS; NOTICE OF ENTRY
HASEKO (EWA), INC., and CITY AND COUNTY OF HONOLULU,	)
Defendant(s).	) Non-hearing motion filed 6/5/09 Judge: Sabrina S. McKenna

(APPENDIX F)

ORDER GRANTING GRANTING IN PART PLAINTIFF CRAIG SMALLWOOD' MOTION TO AMEND NOTICE OF APPEAL AND SUPPLEMENT THE RECORD WITH THE FINAL JUDGMENT AND ORDERING THE CLERK OF COURT TO RETRANSMIT THE SUPPLEMENTED RECORD ON APPEAL TO THE INTERMEDIATE COURT OF APPEALS

On June 18, 2009, the Intermediate Court of Appeals issued an Order Dismissing Appeal For Lack Of Jurisdiction on the grounds that this court had not reduced the January 22, 2009 dismissal order to a separate judgment based on the April 21, 2009 record on appeal filed by the appellate court clerk. However, on May 12, 2009 this court had entered a Final Judgment. Plaintiff filed this motion on June 5, 2009, before the ICA's June 18, 2009 order.

Plaintiff's motion is granted to the extent the court orders, pursuant to Rule 10(e)(2)(B) of the

Hawaii Rules of Appellate Procedure, that the Record On Appeal be amended to include the May 12, 2009 Final Judgment.

THE COURT ALSO ORDERS THAT THE CLERK OF COURT RETRANSMIT THE SUPPLEMENTED RECORD ON APPEAL TO THE INTERMEDIATE COURT OF APPEALS, WHICH SHALL INCLUDE ALL DOCUMENTS INCLUDED IN THE ORIGINAL RECORD ON APPEAL AND THE FIRST SUPPLEMENTAL RECORD ON APPEAL, AS WELL AS DOCUMENTS FILED AFTER THE FIRST SUPPLEMENTAL RECORD ON APPEAL.

Dated: Honolulu, Hawaii, Jul 24 2009

SEAL STAMPED
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"s/"
JUDGE OF THE ABOVE –
ENTITLED COURT